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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/002,661	10/31/2001	Akira Sugiyama	450100-03598	2440

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EXAMINER
CZEKAJ, DAVID J

ART UNIT	PAPER NUMBER
2621	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	10/002,661	SUGIYAMA ET AL.
Office Action Summary	Examiner	Art Unit	
	DAVID CZEKAJ	2621	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>08 July 2008</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-7</u> is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-7</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a) ☐ All   b) ☐ Some * c) ☐ None of:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____.

       3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

On pages 7-9, applicant argues that Hanko in view of Matsumura fail to disclose the frame end signal is generated based on header information. While the applicant's points are understood, the examiner respectfully disagrees. Hanko discloses in column 8, lines 45-50 and column 10, lines 8-13, the generation of a frame end signal. Matsumura discloses in column 4, table 1, the use of an EOB (end of block) code. This code as Matsumura discloses in column 4, line 53 – column 5, line 44, is placed in the header and indicates the end of every block. Since frames are processed in units of blocks, the EOB code for the last block of the frame is also an indication of the end of the frame. Hence, the combination of Hanko with Matsumura disclose that a frame end signal is generated based on header information. Therefore the rejection has been maintained.

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1-5 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanko et al. (6493041), (hereinafter referred to as "Hanko") in view of Matsumura et al. (US 5,835,144) in further view of Machino et al. (4719620), (hereinafter referred

to as "Machino") in further view of Acampora et al. (4827336), (hereinafter referred to

as "Acampora").

         As for Claim's 1 and 4, Hanko teaches an input means for inputting the

input data (Hanko: figures 1-2), start detecting means for detecting the start of

the predetermined unit of the input data, in which the predetermined unit

corresponds to a frame (Hanko: column 8, lines 23-40, wherein the digitizer

detects the start of the frames), means for receiving a frame end signal indicative

of the end of a number of frames (Hanko: column 8, lines 45-50), and end

detecting means for detecting the end of a respective frame based on the frame

end signal wherein data received after the frame end signal and before the start

of a next frame is not processed and is designated invalid (Hanko: column 8,

lines 45-67; column 10, lines 8-15, wherein the synchronization signal indicates

the end of the frame). However, Hanko fails to disclose the signal processing

and frame processing as claimed. Matsumura teaches that it would be desirable

to reduce data substitution through the use of self-resynchronizing variable

length codes (Matsumura: column 1, lines 39-42). To help alleviate this

problem, Matsumura discloses signal processing means for making an action on

the variable length code active at the start detected by the start detecting means

(Matsumura: Column 8, lines 38-64), for making the action on the variable length

code inactive at the end detected by the end detecting means (Matsumura:

Column 10, lines 51-59; Column 9, lines 35-50), initializing the state of the action

on the variable length code at the end detected by the end detecting means

(Matsumura: Column 6, lines 55-65), and receiving a frame end signal that has been generated based on the header information (Matsumura: column 4, line 30-column 5, line 44, wherein the end of frame code is the end of block (EOB)). Machino teaches that there is a need in the art to avoid collisions (Machino: column 1, lines 10-24). To help alleviate this problem, Machino discloses when the start of the frame is not detected, data received is designated invalid allowing immediate processing of the next frame thereby eliminating invalid data and reducing further lost data (Machino: column 3, lines 43-50, wherein the start of frame is the frame-start signal, wherein if the signal is not detected, the next frame is immediately processed) and signal based on the start code (Machino: figure 5, wherein the signal is the signal on the bus). Acampora teaches the level of an enable signal is altered between a high and low level based on a frame end signal (Acampora: column 15, lines 51-65, wherein the enable signal must be altered between a high and low state to correctly activate the read and write enable signals). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to take the apparatus disclosed by Hanko and add the processing taught by Matsumura, Machino, and Acampora, in order to obtain an apparatus the produces accurate results.

As for Claim 2, Hanko teaches the input data comprises MPEG data (Hanko: column 2, lines 45-46).

As for Claim's 3 and 5, although not disclosed, it would have been obvious to record the output data (Official Notice). Doing so would have been obvious in order to save the data for future use.

As for Claim 7, many of the limitations have been addressed in the above rejections. In addition, Matsumura et al. teach suspending processing for a period of time, the period of time being from the end of frame data to a subsequent start signal, when an error is detected (Matsumura: Column 8, line 65 to Column 9, line 29), detecting a start code for a corrected stream of data (Matsumura: Column 9, lines 26-29), and re-initiating the processing step as a function of the detecting step (Matsumura: Column 9, lines 26-57).

3.   Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hanko et al. (6493041), (hereinafter referred to as "Hanko") in view of Matsumura et al. (US 5,835,144) in further view of Machino et al. (4719620), (hereinafter referred to as "Machino") in further view of Acampora et al. (4827336), (hereinafter referred to as "Acampora") in further view of Ching et al. (US 3,971,888).

As for claim 6, Hanko in view of Matsumura et al in view of Machino in view of Acampora fail to specifically teach where the means for receiving includes a flip-flop circuit, but Ching et al. does (Ching: Column 15, lines 4-37). Since the flip-flop circuit can be used to control how the signal is received by energizing and de-energizing the circuit, it would have been obvious to one of ordinary skill to use a simple flip-flop circuit or any other type of circuit that would

be capable of controlling when the circuit is energized or not in order to control

when the signal is received.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to DAVID CZEKAJ whose telephone number is (571)272-

7327. The examiner can normally be reached on Mon-Thurs and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Mehrdad Dastouri can be reached on (571) 272-7418. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dave Czekaj/
Primary Examiner, Art Unit 2621